

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

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JAMES DOE,	:
	: Civil Action No:
	:
	: 3:17-cv-00402 GTS-DEP
Plaintiff,	:
	:
-against-	:
	:
CORNELL UNIVERSITY, ELIZABETH MCGRATH,	:
as agent for Cornell University, and	:
JODY KUNK-CZAPLICKI, as agent for Cornell	:
University,	:
	:
Defendants.	:
-----X	

AND NOW COMES the Plaintiff James Doe ("Plaintiff"), by and through his attorneys, Nesenoff & Miltenberg, LLP, and accepts Defendants Cornell University, Elizabeth McGrath and Jody Kunk-Czaplicki ("Defendants") Offer of Judgment dated August 31, 2018 pursuant to Federal Rule of Civil Procedure 68.

1. Plaintiff hereby accepts Defendants' Offer of Judgment "in the amount of \$125,000.00, **exclusive of costs and attorneys' fees accrued to date**, on all causes of action alleged in Plaintiff's Amended Complaint, dated May 12, 2017."
2. As the prevailing party of Plaintiff's 42 U.S.C. § 1983 claims, and Plaintiff's claims under Title IX of the Education Amendments of 1972, Plaintiff will serve his Fee Petition upon the Defendants within fourteen (14) days of the entry of judgment of this acceptance of Defendants' Offer of Judgment.

**Dated: New York, New York
September 7, 2018**

Respectfully Submitted,

NESENOFF & MILTENBERG, LLP

By: /s/ Tara J. Davis

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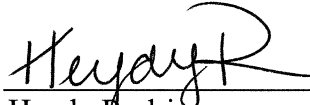
CERTIFICATE OF SERVICE

The undersigned certifies that this document was served upon the attorneys of record for each party to the above-entitled cause at the address shown below on September 7, 2018.

Jonathan B. Fellows, Esq.
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*Attorneys for Defendants Cornell University, Elizabeth
McGrath and Jody Kunk-Czaplicki*

BY: ☐ U.S. Mail ☐ Federal Express
☐ Hand-Delivery ☒ Other: Email



Heydy Rodriguez

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

JAMES DOE,

Plaintiff,

v.

CORNELL UNIVERSITY, ELIZABETH MCGRATH, as
agent for Cornell University, and JODY KUNK-CZAPLICKI,
as agent for Cornell University,

Defendants.

OFFER OF JUDGMENT

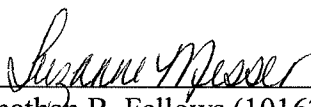
Civil Action No.:
3:17-cv-00402 (GTS/DEP)

Pursuant to Rule 68 of the Federal Rules of Civil Procedure, Defendants Cornell University, Elizabeth McGrath, and Jody Kunk-Czaplicki (collectively “Defendants”) hereby offer to allow judgment to be taken against them in this action, in the amount of \$125,000.00, exclusive of costs and attorneys’ fees accrued to date, on all causes of action alleged in Plaintiff’s Amended Complaint, dated May 12, 2017.

This offer will be deemed withdrawn unless Plaintiff serves a written notice of acceptance of the offer within ten (10) days of the date of service. This Offer of Judgment is made for the purposes of Rule 68 only, and neither it nor any judgment that may result from this offer may be construed as an admission that Defendants, or any of them, are liable in this action, or that Plaintiff has suffered any damages.

Dated: August 31, 2018

BOND, SCHOENECK & KING, PLLC

By: 
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Attorneys for Defendants

CERTIFICATE OF SERVICE

I certify that on the 31st day of August, 2018, a true and correct copy of the foregoing Offer of Judgment was served upon the following counsel via E-Mail addressed as follows:

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Attorneys for Plaintiff



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